

**E-FILED on** 10/21/2011

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JACQUELINE CARLIN MELCHER,

Appellant,

v.

JOHN W. RICHARDSON, Trustee in  
Bankruptcy,

Appellee.

No. 11-cv-01616 RMW

ORDER SETTING DEADLINES

Jacqueline C. Melcher commenced the above appeal by filing a notice of appeal on March 18, 2011. The record on appeal has not been transmitted by the bankruptcy court to the district court, apparently because Ms. Melcher has not provided the clerk with an adequate designation of the record. Ms. Melcher also has not filed an opening brief. On September 20, 2011, the court ordered Ms. Melcher to appear on October 21, 2011 and show cause why the appeal should not be dismissed for lack of prosecution. Ms. Melcher did appear. As explained at the hearing, Mr. Melcher must file adequate designations of the record with the bankruptcy court so that the record may be transmitted to the district court by November 4, 2011. To determine how to correct the record, Ms. Melcher may need to contact the bankruptcy court's appeals clerk. She must then file

her opening brief in this appeal by December 1, 2011. If these deadlines are not met, the appeal will be dismissed.

DATED: 10/21/2011

  
RONALD M. WHYTE  
United States District Judge

United States District Court  
For the Northern District of California